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No equivalent provision.

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SECTION __. Section 711.008, Health and Safety Code, is amended by amending Subsection (b) and adding Subsection (h) to read as follows:

(b) Subsection (a) does not apply to:

- (1) a cemetery heretofore established and operating;
- (2) the establishment and use of a columbarium by an organized religious society or sect that is exempt from income taxation under Section 501(a), Internal Revenue Code of 1986, by being listed under Section 501(c)(3) of that code, as part of or attached to the principal church building owned by the society or sect;
- (3) the establishment and use of a columbarium by an organized religious society or sect that is exempt from income taxation under Section 501(a), Internal Revenue Code of 1986, by being listed under Section 501(c)(3) of that code, on land that:
 - (A) is owned by the society or sect; and
 - (B) is part of the campus on which an existing principal church building is located;
- (4) the establishment and use of a columbarium on the campus of a private or independent institution of higher education, as defined by Section 61.003, Education Code, that is wholly or substantially controlled, managed, owned, or supported by or otherwise affiliated with an organized religious society or sect that is exempt from income taxation under Section 501(a), Internal Revenue Code of 1986, by being listed under Section 501(c)(3) of that code, if a place of worship is located on the campus; ~~or~~
- (5) the establishment and use of a mausoleum that is:
 - (A) constructed beneath the principal church building owned by an organized religious society or sect that:
 - (i) is exempt from income taxation under Section 501(a),

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Internal Revenue Code of 1986, by being listed under Section 501(c)(3) of that code; and
(ii) has recognized religious traditions and practices of interring the remains of ordained clergy in or below the principal church building; and
(B) used only for the interment of the remains of ordained clergy of that organized religious society or sect; or
(6) the establishment and operation, if authorized in accordance with Subsection (h), of a perpetual care cemetery by an organized religious society or sect that:
(A) is exempt from income taxation under Section 501(a), Internal Revenue Code of 1986, by being listed under Section 501(c)(3) of that code;
(B) has been in existence for at least five years;
(C) has at least \$500,000 in assets; and
(D) establishes and operates the cemetery on land that:
(i) is owned by the society or sect;
(ii) together with any other land owned by the society or sect and adjacent to the land on which the cemetery is located, is not less than 10 acres; and
(iii) is in a municipality with a population of at least one million that is located predominantly in a county that has a total area of less than 1,000 square miles.
(h) The governing body of a municipality described by Subsection (b)(6)(D)(iii) may authorize the establishment and use in accordance with Subsection (b)(6) of a cemetery located inside the boundaries of the municipality if the municipality determines and states in the ordinance that the establishment or use of the cemetery does not adversely affect public health, safety, and welfare. [FA2]

SECTION 1. Sections 754.015(a), (b), and (d), Health and

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Safety Code, are amended to read as follows:

- (a) The commission by rule shall provide for:
- (1) an annual inspection and certification of the equipment covered by standards adopted under this subchapter;
 - (2) enforcement of those standards;
 - (3) registration of qualified inspectors and contractors;
 - (4) the form of inspection documents, contractor reports, and certificates of compliance;
 - (5) notification to building owners, architects, and other building industry professionals regarding the necessity of annually inspecting equipment;
 - (6) approval of continuing education programs for registered QEI-1 certified inspectors; ~~and~~
 - (7) standards of conduct for individuals who are registered under this subchapter;
 - (8) general liability insurance as a condition of contractor registration with coverage of not less than:
 - (A) \$1 million for each single occurrence of bodily injury or death; and
 - (B) \$500,000 for each single occurrence of property damage;
 - (9) the submission and review of **proposed** plans for installation or alteration of equipment; and
 - (10) continuing education requirements for renewal of contractor registration.
- (b) The commission by rule may not:
- (1) require inspections of equipment to be made more often than every 12 months, except as provided by Subsection (c);
 - (2) require persons to post a bond or furnish insurance or to have minimum experience or education as a condition of certification or registration, except as otherwise provided by this chapter;
 - ~~(3) require building owners to submit to the department~~

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- (1) an annual inspection and certification of the equipment covered by standards adopted under this subchapter;
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 - (3) registration of qualified inspectors and contractors;
 - (4) the form of inspection documents, contractor reports, and certificates of compliance;
 - (5) notification to building owners, architects, and other building industry professionals regarding the necessity of annually inspecting equipment;
 - (6) approval of continuing education programs for registered QEI-1 certified inspectors; ~~and~~
 - (7) standards of conduct for individuals who are registered under this subchapter;
 - (8) general liability insurance as a condition of contractor registration with coverage of not less than:
 - (A) \$1 million for each single occurrence of bodily injury or death; and
 - (B) \$500,000 for each single occurrence of property damage;
 - (9) the submission and review of plans for the installation or alteration of equipment; and
 - (10) continuing education requirements for renewal of contractor registration.
- (b) The commission by rule may not:
- (1) require inspections of equipment to be made more often than every 12 months, except as provided by Subsection (c);
 - (2) require persons to post a bond or furnish insurance or to have minimum experience or education as a condition of certification or registration, except as otherwise provided by this chapter;
 - ~~(3) require building owners to submit to the department~~

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~~proposed plans for equipment installation or alteration;]~~ or
(3) [(4)] prohibit a QEI-1 certified inspector who is registered with the department from inspecting equipment.
(d) The executive director may charge a reasonable fee as set by the commission for:
(1) registering or renewing registration of an inspector;
(2) registering or renewing registration of a contractor;
(3) applying for a certificate of compliance;
(4) filing an inspection report as required by Section 754.019(a)(3), 30 days or more after the date the report is due, for each day the report remains not filed after the date the report is due;
(5) submitting for review proposals to install or alter equipment;
(6) reviewing and approving continuing education providers and courses for renewal of contractor registration;
(7) applying for a waiver, variance, or delay; and
(8) [(6)] attending a continuing education program sponsored by the department for registered QEI-1 inspectors.

SECTION 2. Section 754.0171(b), Health and Safety Code, is amended to read as follows:

(b) A contractor shall submit an application for registration or renewal of registration, as applicable, and pay appropriate fees to the department. The registration application form shall [~~may~~] require:
(1) information concerning the background, experience, and [~~or~~] identity of the applicant;
(2) designation of and information regarding the responsible party or parties under Section 754.0173; and
(3) documentation of fulfillment of the continuing education requirements for renewal of registration, if applicable.

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~~proposed plans for equipment installation or alteration;]~~ or
(3) [(4)] prohibit a QEI-1 certified inspector who is registered with the department from inspecting equipment.
(d) The executive director may charge a reasonable fee as set by the commission for:
(1) registering or renewing registration of an inspector;
(2) registering or renewing registration of a contractor;
(3) applying for a certificate of compliance;
(4) filing an inspection report as required by Section 754.019(a)(3), 30 days or more after the date the report is due, for each day the report remains not filed after the date the report is due;
(5) submitting for review plans for the installation or alteration of equipment;
(6) reviewing and approving continuing education providers and courses for renewal of contractor registration;
(7) applying for a waiver, variance, or delay; and
(8) [(6)] attending a continuing education program sponsored by the department for registered QEI-1 inspectors.

SECTION 2. Same as House version.

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SECTION 3. Subchapter B, Chapter 754, Health and Safety Code, is amended by adding Sections 754.0173 and 754.0174 to read as follows:

Sec. 754.0173. DESIGNATION OF RESPONSIBLE PARTY OR PARTIES. (a) Each contractor who registers with the department must designate at least one but not more than two responsible parties.

(b) A responsible party designated under this section must:

(1) have a minimum of three years of elevator contractor experience related to elevator installation, repair, and maintenance; and

(2) comply with the education, training, and continuing education requirements as determined by commission rule in order for an elevator contractor to renew an elevator contractor registration.

(c) The commission shall adopt rules regarding documentation of the required training and completion of the continuing education to accompany the application for registration.

(d) A responsible party may be added to or removed from the registration at any time by providing written notice to the department. If a responsible party is added to a registration, the written notice must include evidence that the responsible party meets the requirements of this section.

Sec. 754.0174. CONTINUING EDUCATION FOR RENEWAL OF CONTRACTOR REGISTRATIONS. (a) Each contractor's responsible party must complete continuing education requirements set by commission rule before the contractor may renew the contractor's registration.

(b) A provider of continuing education under this section must:

(1) register with the department; and

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SECTION 3. Subchapter B, Chapter 754, Health and Safety Code, is amended by adding Sections 754.0173 and 754.0174 to read as follows:

Sec. 754.0173. DESIGNATION OF RESPONSIBLE PARTY OR PARTIES. (a) Each contractor who registers with the department must designate at least one but not more than two responsible parties.

(b) A responsible party designated under this section must:

(1) have a minimum of three years of elevator contractor experience related to elevator installation, repair, and maintenance; and

(2) comply with continuing education requirements as determined by commission rule in order for an elevator contractor to renew an elevator contractor registration.

(c) The commission shall adopt rules regarding documentation of the completion of the continuing education to accompany the application for registration.

(d) A responsible party may be added to or removed from the registration at any time by providing written notice to the department. If a responsible party is added to a registration, the written notice must include evidence that the responsible party meets the requirements of this section.

Sec. 754.0174. CONTINUING EDUCATION FOR RENEWAL OF CONTRACTOR REGISTRATIONS. (a) Each contractor's responsible party must complete continuing education requirements set by commission rule before the contractor may renew the contractor's registration.

(b) A provider of continuing education under this section must:

(1) register with the department; and

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(2) comply with rules adopted by the commission relating to continuing education for **elevator contractors and a contractor's** designated responsible party.

SECTION 4. (a) The Texas Commission of Licensing and Regulation shall adopt the rules required by Section 754.015(a)(8), Health and Safety Code, as added by this Act, not later than January 1, 2012.

(b) The Texas Commission of Licensing and Regulation shall adopt the rules required by Sections 754.015(a)(9) and (10), Health and Safety Code, as added by this Act, not later than June 1, 2012.

SECTION 5. (a) The rules adopted under Section 754.015(a)(8), Health and Safety Code, as added by this Act, apply only to an application or renewal application for registration of a contractor filed on or after March 31, 2012. An application or renewal application for registration of a contractor filed before that date is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

(b) The rules adopted under Section 754.015(a)(9), Health and Safety Code, as added by this Act, apply only to installation or alteration of equipment performed under a contract or work order entered into or issued on or after September 1, 2012. Installation or alteration of equipment performed under a contract or work order entered into or issued before September 1, 2012, is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

(c) Section 754.0173, Health and Safety Code, as added by this Act, applies only to a registration issued or renewed on or

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(2) comply with rules adopted by the commission relating to continuing education for a designated responsible party.

No equivalent provision.

No equivalent provision.

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after September 1, 2011. A registration issued or renewed before September 1, 2011, is covered by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

(d) Section 754.0174, Health and Safety Code, as added by this Act, and the rules adopted under Section 754.015(a)(10), Health and Safety Code, as added by this Act, apply only to a renewal of registration issued on or after January 1, 2013. A renewal of registration issued before January 1, 2013, is covered by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

No equivalent provision.

No equivalent provision.

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SECTION __. Section 1302.002, Occupations Code, is amended by amending Subdivision (5-b) and adding Subdivision (5-c) to read as follows:

(5-b) "Apprenticeship program" means an air conditioning and refrigeration training program that is:

(A) recognized by the Texas Workforce Commission or the Texas Higher Education Coordinating Board;

(B) registered with the United States Department of Labor; or

(C) a competency-based standardized craft training program that meets the standards of the United States Department of Labor Office of Apprenticeship.

(5-c) "Certified technician" means a registered technician who has completed a certification examination. [FA1]

SECTION __. Subchapter C, Chapter 1302, Occupations Code, is amended by adding Section 1302.1011 to read as follows:

Sec. 1302.1011. RULES. The commission shall adopt rules:

(1) providing for the licensing and registration of persons

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under this chapter, including requirements for the issuance and renewal of a contractor license and a technician registration;

(2) establishing fees necessary for the administration of this chapter, including fees for issuance and renewal of a contractor license and a technician registration; and

(3) implementing the requirements of this chapter as applicable to persons, entities, and activities regulated under this chapter. [FA1]

No equivalent provision.

SECTION __. Subsection (a), Section 1302.102, Occupations Code, is amended to read as follows:

(a) The commission by rule ~~[executive director]~~ shall set insurance requirements for a license holder under this chapter. [FA1]

No equivalent provision.

SECTION __. Section 1302.105, Occupations Code, is amended to read as follows:

Sec. 1302.105. PERSONNEL~~[- EXAMINERS]~~. ~~[(a)]~~ The department may employ personnel necessary to administer this chapter.

~~[(b) The department shall employ at least two full-time air conditioning and refrigeration contractors to serve as examiners.]~~ [FA1]

No equivalent provision.

SECTION __. Section 1302.202, Occupations Code, is amended to read as follows:

Sec. 1302.202. APPOINTED MEMBERS. (a) Except for the public member, each ~~[Each]~~ appointed advisory board member must be experienced in the design, installation, construction, maintenance, service, repair, or modification of equipment used for environmental air conditioning,

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commercial refrigeration, or process cooling or heating. Other than the public member, of [Øf] the appointed members:

(1) one must be an official of a municipality with a population of more than 250,000;

(2) one must be an official of a municipality with a population of not more than 250,000; and

(3) four must be full-time licensed air conditioning and refrigeration contractors, as follows:

(A) one member who holds a Class A license and practices in a municipality with a population of more than 250,000;

(B) one member who holds a Class B license and practices in a municipality with a population of more than 250,000;

(C) one member who holds a Class A license and practices in a municipality with a population of more than 25,000 but not more than 250,000; and

(D) one member who holds a Class B license and practices in a municipality with a population of not more than 25,000.

(b) At least one ~~[appointed]~~ advisory board member appointed under Subsection (a)(3) must be an air conditioning and refrigeration contractor who employs organized labor ~~[and at least two appointed members must be air conditioning and refrigeration contractors who are licensed engineers].~~

[FA1]

No equivalent provision.

SECTION __. The heading to Subchapter F, Chapter 1302, Occupations Code, is amended to read as follows:

SUBCHAPTER F. AIR CONDITIONING AND REFRIGERATION CONTRACTORS LICENSE REQUIREMENTS] [FA1]

No equivalent provision.

SECTION __. Section 1302.251, Occupations Code, is amended to read as follows:

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Sec. 1302.251. LICENSE REQUIRED. (a) A person may not engage in air conditioning and refrigeration contracting unless the person holds an air conditioning and refrigeration contractor [a] license under this subchapter or Subchapter G.

(b) An air conditioning and refrigeration contractor [A] license issued under this subchapter is valid throughout the state. A person who holds a license issued under this subchapter is not required to hold a municipal license under Subchapter G to engage in air conditioning and refrigeration contracting in any municipality in this state.

(c) A person holding an air conditioning and refrigeration contractor license may assign that license to only one permanent office of one air conditioning and refrigeration contracting company. [FA1]

No equivalent provision.

SECTION __. Section 1302.255, Occupations Code, is amended to read as follows:

Sec. 1302.255. ELIGIBILITY REQUIREMENTS. (a) An applicant for a license under this subchapter [chapter] must:

- (1) be at least 18 years old; and
- (2) have at least 48 [36] months of practical experience in air conditioning and refrigeration-related work under the supervision of a licensed air conditioning and refrigeration contractor [with the tools of the trade] in the preceding 72 months [five years].

(a-1) An applicant who has equivalent experience in another state or who held an equivalent license in another state may receive credit for the experience as determined by the executive director.

(b) Notwithstanding the requirements of [For purposes of determining an applicant's practical experience under] Subsection (a)(2), an applicant may satisfy a portion of the

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practical experience requirement as provided by Subsection (c).

(c) An applicant who obtains a degree or diploma or completes a certification program from an institution of higher education that holds a certificate of authority issued by the Texas Higher Education Coordinating Board, or an equivalent governing body in another state as approved by the executive director, may satisfy a portion of the practical experience requirement as follows:

(1) completing a four-year degree or diploma in air conditioning engineering or technology, refrigeration engineering or technology, or mechanical engineering is equivalent to 24 months [two years] of practical experience [if:

~~(1) the degree or diploma is from an institution of higher education]; [and]~~

(2) completing a two-year associate's degree, a two-year diploma, or a two-year certification program primarily focused on air conditioning and refrigeration-related work is equivalent to 12 months of practical experience;

(3) completing a one-year certification program, or a program of at least two semesters, in air conditioning and refrigeration-related work is equivalent to six months of practical experience; and

(4) completing a program resulting in another applicable degree, diploma, or certification shall be equivalent to the amount of practical experience determined by the department under commission rule [the institution's program is approved by the Texas Board of Professional Engineers for the purpose of licensing engineers].

(d) Every 2,000 hours of on-the-job training in an apprenticeship program is equivalent to 12 months of practical

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experience under Subsection (a)(2).

(e) Notwithstanding the requirements of Subsection (a)(2), each of the following qualifies as practical experience for purposes of satisfying the 48-month requirement:

(1) verified military service in which the person was trained in or performed air conditioning and refrigeration-related work as part of the person's military occupational specialty; and

(2) experience performing air conditioning and refrigeration-related work as described by Section 1302.055, 1302.056, or 1302.057 or while employed by a governmental entity. [FA1]

No equivalent provision.

SECTION __. Subsections (a) and (c), Section 1302.256, Occupations Code, are amended to read as follows:

(a) An applicant for an air conditioning and refrigeration contractor [a] license must submit a verified application on a form prescribed by the executive director.

(c) The application must be accompanied by:

(1) a statement containing evidence satisfactory to the executive director of the applicant's practical experience required by Section 1302.255 [~~1302.255(a)(2)~~]; and

(2) the required fees [~~examination fee~~]. [FA1]

No equivalent provision.

SECTION __. Subsection (b), Section 1302.257, Occupations Code, is amended to read as follows:

(b) The executive director shall prescribe the method and content of an examination administered under this subchapter [~~chapter~~] and shall set compliance requirements for the examination. To obtain an endorsement, an applicant must pass the examination for the endorsement. [FA1]

No equivalent provision.

SECTION __. Section 1302.260, Occupations Code, is

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amended to read as follows:

Sec. 1302.260. ISSUANCE AND TERM OF LICENSE. (a) The department [~~On payment of the license fee, the executive director~~] shall issue an air conditioning and refrigeration contractor license to an applicant who:

- (1) submits a verified application;
- (2) passes the applicable examination;
- (3) meets the requirements of this chapter and rules adopted under this chapter [~~subchapter~~];
- (4) pays the required fees; and
- (5) [~~(2)~~] provides evidence of insurance coverage required by rule [~~the executive director~~] in accordance with this chapter; and
[~~(3) passes the applicable examination~~].

(b) A license issued under this chapter expires on the first anniversary of the date of issuance [~~at the end of the license period set by the commission~~]. [FA1]

SECTION __. Section 1302.263, Occupations Code, is amended to read as follows:

Sec. 1302.263. LIMITATION ON LICENSE HOLDER [~~OR REGISTERED TECHNICIAN~~]. A person licensed as a contractor under this subchapter [~~chapter~~] may not:

- (1) perform or offer or attempt to perform an act, service, or function that is:
 - (A) defined as the practice of engineering under Chapter 1001, unless the person holds a license under that chapter;
 - (B) regulated under Chapter 113, Natural Resources Code, unless the person holds a license or is exempt by rule under that chapter; or
 - (C) defined as plumbing under Chapter 1301, unless the person holds a license under that chapter; or

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(2) use the services of a person who is not a registered technician or a licensed air conditioning and refrigeration contractor to assist in the performance of air conditioning and refrigeration maintenance work. [FA1]

No equivalent provision.

SECTION __. Subsection (a), Section 1302.453, Occupations Code, is amended to read as follows:

(a) A person commits an offense if the person:

(1) knowingly engages in air conditioning and refrigeration contracting without holding a license issued under this chapter; ~~or~~

(2) knowingly engages in air conditioning and refrigeration maintenance work without holding a contractor license or technician registration issued under this chapter; or

(3) purchases a refrigerant or equipment containing a refrigerant in this state in violation of Section 1302.353, 1302.355, or 1302.356. [FA1]

No equivalent provision.

SECTION __. Section 1302.501, Occupations Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) An air conditioning and refrigeration technician [A] registration is valid throughout the state.

(c) A person is not required to obtain an air conditioning and refrigeration technician registration if the person only assists a licensed contractor in performing:

(1) the total replacement of a system; or

(2) the installation or repair of a boiler or pressure vessel that must be installed in accordance with rules adopted under Chapter 755, Health and Safety Code. [FA1]

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SECTION __. Subchapter K, Chapter 1302, Occupations

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Code, is amended by adding Section 1302.5035 to read as follows:

Sec. 1302.5035. ELIGIBILITY REQUIREMENTS. (a) An applicant for a technician registration under this subchapter must be at least 18 years old.

(b) An applicant for a technician registration is not required to have practical experience or to take an examination to obtain the registration. [FA1]

No equivalent provision.

SECTION __. Section 1302.504, Occupations Code, is amended to read as follows:

Sec. 1302.504. APPLICATION; FEE. (a) An applicant for an air conditioning and refrigeration technician registration must submit a verified ~~an~~ application on a form prescribed by the executive director ~~[eommission]~~.

(b) The completed application must be accompanied by the required fees ~~[application fee]~~. [FA1]

No equivalent provision.

SECTION __. Section 1302.505, Occupations Code, is amended to read as follows:

Sec. 1302.505. ISSUANCE AND TERM OF REGISTRATION. (a) The department shall issue an air conditioning and refrigeration technician registration to an applicant who:

(1) submits a verified application;

(2) meets the requirements of this chapter and rules adopted under this chapter; and

(3) pays the required fees ~~[On receipt of a completed application, the department shall register an applicant who meets the requirements of this subchapter]~~.

(b) A registration issued under this subchapter is valid for one year from the date of issuance. [FA1]

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No equivalent provision.

SECTION __. Subchapter K, Chapter 1302, Occupations Code, is amended by adding Section 1302.509 to read as follows:

Sec. 1302.509. LIMITATIONS ON REGISTRANT. A person registered under this subchapter may not:

(1) perform, offer to perform, or attempt to perform an act that is:

(A) defined as the practice of engineering under Chapter 1001, unless the person holds a license under that chapter;

(B) regulated under Chapter 113, Natural Resources Code, unless the person holds a license under that chapter or is exempt by a rule adopted under that chapter; or

(C) defined as plumbing under Chapter 1301, unless the person holds a license under that chapter; or

(2) assist a person who is not a licensed air conditioning and refrigeration contractor in the performance of air conditioning and refrigeration maintenance work. [FA1]

No equivalent provision.

SECTION __. The following sections of the Occupations Code are repealed:

(1) Section 1302.062;

(2) Section 1302.106;

(3) Section 1302.209;

(4) Subsections (c) and (d), Section 1302.257;

(5) Section 1302.502; and

(6) Section 1302.507. [FA1]

No equivalent provision.

SECTION __. (a) Not later than March 1, 2012, the Texas Commission of Licensing and Regulation shall adopt rules to implement Chapter 1302, Occupations Code, as amended by this Act.

(b) Section 1302.255, Occupations Code, as amended by this

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Act, applies only to an application for a license or registration under that section submitted to the Texas Department of Licensing and Regulation on or after November 1, 2012. An application for a license, registration, or certification submitted under that section before that date is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose. [FA1]

No equivalent provision.

SECTION 4. The Texas Commission of Licensing and Regulation shall adopt the rules required by Sections 754.015(a)(8), (9), and (10), Health and Safety Code, as added by this Act, not later than June 1, 2012.

No equivalent provision.

SECTION 5. (a) The rules adopted under Section 754.015(a)(8), Health and Safety Code, as added by this Act, apply only to an application or renewal application for registration of a contractor filed on or after September 1, 2012. An application or renewal application for registration of a contractor filed before that date is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

(b) The rules adopted under Section 754.015(a)(9), Health and Safety Code, as added by this Act, apply only to installation or alteration of equipment performed under a contract or work order entered into or issued on or after September 1, 2012. Installation or alteration of equipment performed under a contract or work order entered into or issued before September 1, 2012, is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

(c) Section 754.0173, Health and Safety Code, as added by

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CONFERENCE

this Act, applies only to a registration issued or renewed on or after September 1, 2012. A registration issued or renewed before September 1, 2012, is covered by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

(d) Section 754.0174, Health and Safety Code, as added by this Act, and the rules adopted under Section 754.015(a)(10), Health and Safety Code, as added by this Act, apply only to a registration that is renewed on or after January 1, 2013. A registration that is renewed before January 1, 2013, is covered by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 6. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011.

SECTION 6. Same as House version.